

IC 25-23.5-5

Chapter 5. Certification; Examinations

IC 25-23.5-5-1

Application; contents

Sec. 1. (a) A person who applies for a license as an occupational therapist or an occupational therapy assistant must present satisfactory evidence to the committee that the person:

- (1) does not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the person was not able to practice as an occupational therapist or occupational therapy assistant without endangering the public;
- (3) has:
 - (A) before July 1, 2006, graduated from a school or program of occupational therapy or a program for occupational therapy assistants approved by the board; or
 - (B) after June 30, 2006, graduated:
 - (i) with a master's degree or its equivalent from a school or program of occupational therapy; or
 - (ii) from a program for occupational therapy assistants; approved by the board;
- (4) has passed an occupational therapist or occupational therapy assistant licensing examination approved by the board under section 4.5 of this chapter; and
- (5) has met the clinical experience requirements established by the board.

(b) Notwithstanding subsection (a), an occupational therapist who received an initial license in occupational therapy before July 1, 2006, is not required to meet the requirements under subsection (a)(3)(B) or (a)(5).

As added by P.L.238-1989, SEC.1. Amended by P.L.33-1993, SEC.33; P.L.197-2007, SEC.68; P.L.197-2011, SEC.95; P.L.67-2014, SEC.4.

IC 25-23.5-5-2

Application; supervised fieldwork experience

Sec. 2. (a) The board may require a person who applies for a license as an occupational therapist to have successfully completed supervised fieldwork experience arranged and approved by the school or program from which the person graduated.

(b) The board may require a person who applies for a license as an occupational therapy assistant to have successfully completed supervised fieldwork experience arranged and approved by the program from which the person graduated.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.69; P.L.197-2011, SEC.96.

IC 25-23.5-5-3

Application fee

Sec. 3. A person applying for a license under this article must pay a fee.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.70; P.L.197-2011, SEC.97.

IC 25-23.5-5-4

Examination; minimum requirements

Sec. 4. A person who satisfies the requirements of sections 1 through 3 of this chapter may take the examination approved by the board under section 4.5 of this chapter.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.71.

IC 25-23.5-5-4.5

Board's duties; approve examination; establish passing score

Sec. 4.5. (a) The board shall do the following:

- (1) Approve a nationally recognized examination for each type of license issued under this article.
- (2) Establish the passing score necessary to obtain a license under this article.

(b) The board may use any part of an examination administered by:

- (1) the National Board for Certification in Occupational Therapy, or its successor; or
- (2) another nationally recognized body that provides examination services for occupational therapists, as determined by the committee;

as the examination required to obtain a license under this article.

As added by P.L.197-2007, SEC.72. Amended by P.L.197-2011, SEC.98.

IC 25-23.5-5-5

Examinations; times and places; subject areas

Sec. 5. (a) The committee shall provide for examinations to be given at least two (2) times a year at times and places established by the board.

(b) The committee shall provide for examinations that test a person's knowledge of the basic and clinical sciences as they relate to the practice of occupational therapy, occupational therapy theory and procedures, and other subjects the committee considers useful to test a person's fitness to practice as an occupational therapist or occupational therapy assistant.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.73.

IC 25-23.5-5-6

Issuing license

Sec. 6. The committee shall issue a license to a person who meets the requirements for a license under this article.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.74; P.L.197-2011, SEC.99.

IC 25-23.5-5-7

Refusal to issue a license; probationary license

Sec. 7. (a) The committee may refuse to issue a license or may issue a probationary license to a person if:

- (1) the person has been disciplined by an administrative agency in another jurisdiction; and
- (2) the committee determines that the violation for which the person was disciplined has a direct bearing on the person's ability to practice occupational therapy as an occupational therapist.

(b) The committee may refuse to issue a license or may issue a probationary license to a person if:

- (1) the person has been disciplined by an administrative agency in another jurisdiction; and
- (2) the committee determines that the violation for which the person was disciplined has a direct bearing on the person's ability to practice as an occupational therapy assistant.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.75; P.L.197-2011, SEC.100.

IC 25-23.5-5-8

Probationary license; conditions; removal of limitations

Sec. 8. (a) If the committee issues a probationary license under section 7 of this chapter, the committee may require the person who holds the probationary license to perform one (1) or more of the following conditions:

- (1) Report regularly to the committee upon a matter that is the basis for the probation.
- (2) Limit practice to areas prescribed by the committee.
- (3) Continue or renew professional education.
- (4) Engage in community restitution or service without compensation for a number of hours specified by the committee.

(b) The committee shall remove a limitation placed on a probationary license if after a hearing the committee finds that the deficiency that caused the limitation has been remedied.

As added by P.L.238-1989, SEC.1. Amended by P.L.32-2000, SEC.14; P.L.197-2007, SEC.76; P.L.197-2011, SEC.101.

IC 25-23.5-5-9

Expiration of license; renewal

Sec. 9. (a) A license issued by the committee expires on a date established by the Indiana professional licensing agency under IC 25-1-5-4 in the next even-numbered year following the year in which the license was issued.

(b) A person may renew a license by paying a renewal fee on or before the expiration date of the license.

(c) If a person fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

As added by P.L.238-1989, SEC.1. Amended by P.L.1-2006, SEC.457; P.L.197-2007, SEC.77; P.L.197-2011, SEC.102.

IC 25-23.5-5-10

Reinstatement of invalid license; renewal

Sec. 10. (a) The committee shall reinstate an invalid license up to three (3) years after the expiration date of the license if the person holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the person holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

As added by P.L.238-1989, SEC.1. Amended by P.L.269-2001, SEC.19; P.L.197-2007, SEC.78; P.L.197-2011, SEC.103.

IC 25-23.5-5-11

Temporary permit; requirements; expiration; renewal

Sec. 11. (a) The committee may issue a temporary permit to a person to engage in the practice of occupational therapy as an occupational therapist or occupational therapy assistant if the person pays a fee and the person:

(1) has a valid license or certificate to practice from another state and the person has applied for a license or certificate from the committee;

(2) is practicing occupational therapy in a state that does not license or certify occupational therapists or occupational therapy assistants but is certified by a national occupational therapy association approved by the board and the person has applied for a license from the committee; or

(3) meets all the following requirements:

(A) Has graduated from an accredited program.

(B) Has completed the fieldwork experience requirement for a license under this article.

(C) Is eligible to take the entry level examination.

(b) A person with a temporary permit issued under subsection (a)(3) may engage in the practice of occupational therapy as an occupational therapist or an occupational therapy assistant only under the supervision of an occupational therapist licensed under this article.

(c) A temporary permit expires the earlier of:

(1) the date the person holding the permit is issued a permanent license under this article;

(2) the date the committee disapproves the person's license application; or

(3) one hundred eighty (180) days after the date the permit is

issued.

(d) The committee may renew a temporary permit if the person holding the permit was scheduled to take the next examination and the person:

- (1) did not take the examination; and
- (2) shows good cause for not taking the examination.

(e) A permit renewed under subsection (d) expires on the date the person holding the permit receives the results from the next examination given after the permit was issued.

As added by P.L.238-1989, SEC.1. Amended by P.L.48-1991, SEC.42; P.L.197-2007, SEC.79; P.L.197-2011, SEC.104.

IC 25-23.5-5-12

Notice of retirement from practice

Sec. 12. (a) A person who is licensed under this article shall notify the committee in writing when the person retires from practice.

(b) Upon receipt of the notice, the committee shall:

- (1) record the fact the person is retired; and
- (2) release the person from further payment of renewal fees.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.80; P.L.197-2011, SEC.105.

IC 25-23.5-5-13

Surrender of license; reinstatement

Sec. 13. (a) If a person surrenders a license to the committee, the committee may reinstate the license upon written request by the person.

(b) If the committee reinstates a license, the committee may impose conditions on the license appropriate to the reinstatement.

(c) A person may not surrender a license without written approval by the committee if a disciplinary proceeding under this article is pending against the person.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.81; P.L.197-2011, SEC.106.

IC 25-23.5-5-14

Exemption from examination requirement

Sec. 14. A person who applies for a license under this article may be exempted by the committee from the examination requirement under section 6 of this chapter if the person:

- (1) is licensed or certified to practice occupational therapy as an occupational therapist or occupational therapy assistant in another state; or
- (2) is practicing occupational therapy in a state that does not license or certify occupational therapists or occupational therapy assistants and is certified by a national occupational therapy association approved by the board;

and is otherwise qualified under sections 1 through 3 of this chapter and pays an additional fee.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.82; P.L.197-2011, SEC.107.

IC 25-23.5-5-15

Graduate of educational program in foreign country; license requirements

Sec. 15. The committee may issue a license to a person who has graduated as an occupational therapist or issue a license to a person who has graduated as an occupational therapy assistant from an educational program in a foreign country if the person:

- (1) graduated from an educational program approved by the board;
- (2) does not have a conviction for:
 - (A) an act that would constitute a ground for a disciplinary sanction under IC 25-1-9; or
 - (B) a crime that has a direct bearing on the person's ability to practice competently;
- (3) has not been the subject of a disciplinary action initiated by a licensing agency of another state or jurisdiction on the ground that the person was not able to practice occupational therapy as an occupational therapist or occupational therapy assistant without endangering the public;
- (4) passes the examination required under this chapter; and
- (5) pays a fee.

As added by P.L.238-1989, SEC.1. Amended by P.L.197-2007, SEC.83; P.L.197-2011, SEC.108.